

REMARKS

Claims 1 through 10 are currently pending in the application.

This amendment is in response to the final Office Action of June 1, 2005.

35 U.S.C. § 103(a) Obviousness Rejections

Obviousness Rejection Based on Desai et al. (U.S. Patent 6,166,434) in combination with Block et al. (U.S. Patent 5,137,959)

Claims 1, 3, 4, 6, 8 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Desai et al. (U.S. Patent 6,166,434) in combination with Block et al. (U.S. Patent 5,137,959). Applicants respectfully traverse this rejection, as hereinafter set forth.

Applicants assert that to establish a *prima facie* case of obviousness under 35 U.S.C. § 103 three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Third, the cited prior art reference must teach or suggest all of the claim limitations. Furthermore, the suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on Applicants' disclosure.

Turning to the cited prior art, the Desai et al. reference teaches or suggests a die clip for use in a semiconductor flip chip package as a replacement for the combination of a heat spreader and stiffener. The die clip engages the die while leaving some space open around the perimeter to provide access to the die. An under fill material is dispensed into the gap between the die and the substrate through an opening in the die clip.

The Block et al. reference teaches or suggests the use of alumina platelets used as thermally conductive, insulating filler in thermally conductive, insulating elastomers.

Applicants assert that any combination of the Desai et al. reference and the Block et al. reference does not establish a *prima facie* case of obviousness under 35 U.S.C. § 103 because any combination of such cited prior art, at the least, fails to teach or suggest all of the claim limitations of the inventions of independent claims 1, 4, 6, and 9. Applicants assert that any

combination of the Desai et al. reference and the Block et al. reference does not teach or suggest the claim limitations of the inventions of independent claims 1, 4, 6, and 9 calling for “a heat sink cap having a portion thereof contacting a portion of the substrate covering the gel elastomer, the semiconductor die, the plurality of solder balls, and a portion of the substrate, the heat sink cap contacting at least a portion of the gel elastomer”, and “a heat sink cap having a portion contacting a portion of the substrate covering the compliant, adhesive, and filled with a thermally conductive material, gel elastomer, the semiconductor die, the plurality of solder balls, and a portion of the substrate, the heat sink cap contacting at least a portion of the gel elastomer”. Applicants assert that the Desai et al. die clip does not contact a portion of the substrate as a gap is located between the die clip and the substrate to allow for the dispensing of underfill into the die clip.

Accordingly, independent claims 1, 4, 6, and 9 are allowable as well as dependent claims 2, 3, 5, 7, and 8 therefrom.

Obviousness Rejection Based on Desai et al. (U.S. Patent 6,166,434) and Block et al. (U.S. Patent 5,137,959) as applied to claims 1, 4, 6, and 9 and further in combination with Chia et al. (U.S. Patent 6,225,695)

Claims 2, 5, 7 and 10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Desai et al. (U.S. Patent 6,166,434) and Block et al. (U.S. Patent 5,137,959) as applied to claims 1, 4, 6, and 9 and further in combination with Chia et al. (U.S. Patent 6,225,695). Applicants respectfully traverse this rejection, as hereinafter set forth.

Applicants assert that dependent claims 2, 5, 7, and 10 are allowable as they depend from allowable independent claims 1, 4, 6, and 9.

Applicants request entry of this amendment for the following reasons:

The amendment is timely filed.

The amendment does not require any further search or consideration.

The amendment places the application in condition for allowance.

Applicants submit that claims 1 through 10 are clearly allowable over the cited prior art.

Applicants request the allowance of claims 1 through 10 and the case passed for issue.

Respectfully submitted,



James R. Duzan

Registration No. 28,393

Attorney for Applicant

TRASKBRITT

P.O. Box 2550

Salt Lake City, Utah 84110-2550

Telephone: 801-532-1922

Date: August 1, 2005

JRD/dlm:lmh

Document in ProLaw